

planning based on the state of the law as it has been, these policies have been bought and sold taking this into consideration. And I have some concern about that. Five years is a long time, 30 months can be a long time, especially at a later point in your life. And I'm not suggesting that from a social viewpoint, or policy standpoint that there's anything right about... about depriving yourself of your assets, but some people have chosen to plan that way and plan their estates that way, have purchased insurance in reliance upon that. I have some concerns about what this is going to do to them. And I'd like to perhaps investigate the situation in a little more detail as to what insurance coverages there are out there and how this dovetails in with what we would do under 798.

SPEAKER BAACK: Thank you, Senator Bromm. Anyone else wishing to discuss... Senator Warner, did you wish to discuss it?

SENATOR WARNER: Mr. President, members of the Legislature, somewhat along the same line and, Senator Wesely, if you could refresh my mind. In the case of a couple, is it... would this leave them sixty thou.... What amount is the surviving spouse, not surviving, but the spouse that does not go into a nursing home allowed to retain... be retained? (inaudible) was like 60,000, but...

SPEAKER BAACK: Senator Wesely.

SENATOR WESELY: That has been changed and the spouse impoverishment provisions have been adjusted upward, and they depend on the amount of assets you're talking about. They protect a certain amount. If you look at page 13 of the purple handout that should be on everybody's desk, you'll see a category there, on page 13 again of the committee... the task force report. Spousal impoverishment is indicated and it's up to 60... yes, it's up to 60,000 would be the maximum of divided resources. And they would split those resources. So, you'd have to have 120,000 of assets, the well spouse would keep 60,000. If you had 80,000 of assets then you'd be talking 40,000. So it would be...

SENATOR WARNER: Do... the 60,000, that's federal... we... I recall we passed... change the law and it would be 60,000 at one time, but...

SENATOR WESELY: Right.